

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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Mitsubishi Electric Corp., Samsung Electronics :
Co., Ltd., Sony Corp., Thomson Licensing, The :
Trustees of Columbia University in the City of New :
York, U.S. Philips Corp., Koninklijke Philips :
Electronics, N.V., Victor Company of Japan, Ltd., :
and LG Electronics, Ltd., :

**CIVIL CASE DISCOVERY
PLAN AND SCHEDULING
ORDER**

C.A. No. 08 CV 5055 (SCR)

Plaintiffs, :

- against - :

Vizio, Inc., f/k/a V, Inc., :

Defendant.

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The following Civil Case Discovery Plan and Scheduling Order is adopted, after consultation with counsel for the parties, pursuant to Rules 26(f) and 16 of the Federal Rules of Civil Procedure.

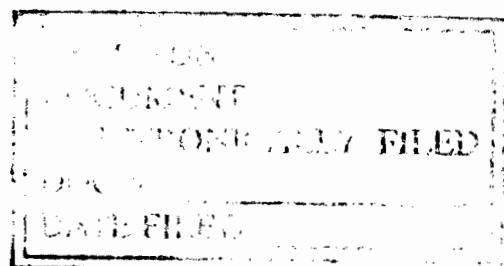
The case is to be tried by a jury.

Joinder of additional parties must be accomplished by **November 14, 2008**.

Amended pleadings may be filed until **November 14, 2008**.

Discovery:

1. First set of interrogatories are to be served by all counsel no later than **November 14, 2008**, and responses to such interrogatories shall be served within thirty (30) days thereafter.
2. First request for production of documents, if any, to be served no later than **November 14, 2008**.
3. Depositions to be completed by **April 16, 2009**.



- a. Unless counsel agree otherwise or the Court so orders, depositions are not to be held until all parties have responded to any first requests for production of documents.
- b. Depositions shall proceed concurrently.
- c. Whenever possible, unless counsel agree otherwise or the Court so orders, non-party depositions shall follow party depositions.

4. Any further interrogatories, including expert interrogatories, to be served no later than **March 3, 2009**.

5. Requests to Admit, if any, to be served no later than **March 3, 2009**.

6. Additional provisions relating to discovery agreed upon by counsel for the parties **are attached and made a part hereof**.
Limitations on Discovery: The parties will negotiate a stipulation and protective order, and submit it to the Court.

7. All discovery is to be complete by **the dates set forth in the attached schedule**. **The parties recognize and agree that additional fact discovery may be required as a result of the claim construction process. The parties agree that either party may seek leave of court to modify the attached schedule to seek such discovery.**

Initial Case Management Conference **September 26, 2008 @ 10:00am**

Joint Pretrial Order is required only if counsel for all parties agree that it is desirable, or the Court so orders. **The parties agree that a Pretrial Order is necessary.**

This case has been designated to the Hon. _____, United States Magistrate Judge at White Plains for discovery disputes if the Court is “unavailable” and for trial under 28 U.S.C. § 636(c) if counsel execute their consent in writing.

Unless otherwise ordered by the Court, the parties are expected to commence discovery upon the receipt of this signed Scheduling Order.

Strict compliance with the trial readiness date will be required. This Plan and Order may not be changed without leave of the Court, except that upon signing a Consent for Trial Before a United States Magistrate Judge, the Magistrate Judge will establish an agreed date certain for trial and will amend this Plan and Order to provide for trial

readiness consistent with that agreed date.

White Plains, New York

Dated: *August 4, 2008*

SO ORDERED



Stephen C. Robinson

Stephen C. Robinson, U.S.D.J.